

ACTA ET STATUTA

SYNODI NEO-EBORACENSIS DECIMAE SEPTIMAE

QUAE

IN ECCLESIA CATHEDRALI SANCTI PATRICII
NOVI EBORACI

DIE XXV OCTOBRIS, ANNO DOMINI MCML

TULIT ET PROMULGAVIT

EMINENTISSIMUS AC REVERENDISSIMUS DOMINUS
FRANCISCUS JOSEPHUS SPELLMAN
TITULI SS. IOANNIS ET PAULI S. R. E. PRESBYTER CARDINALIS
ARCHIEPISCOPUS NEO-EBORACENSIS

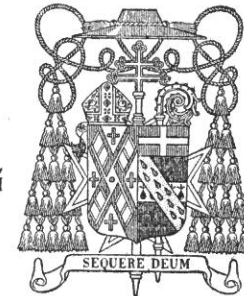
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Decretum Convocationis

Franciscus



Josephus

TITULI SS. IOANNIS ET PAULI S. R. E. PRESBYTER CARDINALIS
DEI ET APOSTOLICAE SEDIS GRATIA

ARCHIEPISCOPUS NEO-EBORACENSIS

Dilectis consacerdotibus utriusque cleri,
SALUTEM ET BENEDICTIONEM IN DOMINO:

Cum jus et officium Nobis incumbat rite providendi, quantum in Nobis est, quae ad maiorem Dei gloriam salutemque gregis Nostrae curae commissi cedant; cumque opportunius et efficacius legibus Synodalibus rei Catholicae tuendae propagandaeque consuli queat: hisce de causis, Nos, Franciscus Cardinalis Spellman, Archiepiscopus Neo-Eboracensis, juxta sacrorum canonum praescripta, his praesentibus, decernimus Synodum Dioecesanam celebrandam esse in Ecclesia Cathedrali Sancti Patricii, in Urbe Novo Eboraco, die vigesima quinta mensis octobris, anni millesimi nongentesimi quinquagesimi.

Datum Novi Eboraci ex Aedibus Cancellariae die undecima mensis octobris, in Festo Maternitatis Beatae Mariae Virginis, anno millesimo nongentesimo quinquagesimo.

FRANCISCUS CARDINALIS SPELLMAN,
Archiepiscopus Neo-Eboracensis.

GUALTERUS P. KELLENBERG,
Cancellarius.

Benedictio Apostolica

(Textus Originalis)

TO OUR BELOVED SON

FRANCIS CARDINAL SPELLMAN

ARCHBISHOP OF NEW YORK

It has come to Our attention that, under your presidency, on October 25th there will take place the inauguration of the First Archdiocesan Synod to be held in New York during the period of your pastoral administration.

This further evidence of your apostolic zeal, Beloved Son, to render still more efficacious the service and ministration to immortal souls in that important part of the Church in the United States embraced by the Archdiocese of New York, has been to Us a source of renewed consolation. We would have you know that Our prayers will be offered for the heavenly guidance of the Holy Spirit that the salutary norms to be prescribed may serve notably to increase the Kingdom of God among the faithful committed to your care and We cordially impart to all participants,—to you, Beloved Son, and to your loyal clergy and religious, Our paternal Apostolic Blessing.

From the Vatican, October 11, 1950.

PIUS PP. XII.

Acta Praeparatoria

Praehabito Consultorum Dioecesanorum Consilio, Eminentissimus ac Reverendissimus Dominus, Franciscus Cardinalis Spellman, Archiepiscopus Neo-Eboracensis, die X januarii anno MCML statuit Synodum Dioecesanam convocandam esse die XXV mensis octobris anni MCML.

Die vero XVI mensis februarii anno MCML, Cardinalis Archiepiscopus Officiales Synodi et, juxta Can. 360 Codicis Juris Canonici, quatuor Commissiones praeparatorias nominavit quae res in Synodo tractandas, pro sua quaeque competentia, pararent; Eminentissimus Ordinarius peculiarem insuper Coetum constituit, qui materias a Commissionibus collectas digereret atque tandem in statuta redigeret singulis Synodalibus subjicienda. Eodem quoque tempore, Eminentissimus Dominus omnes Dioecesis Synodales invitavit ut suam quisque sententiam de statutis propositis singularum Commissionum Praesidibus aperirent.

Quod opus praeparatorium sub finem mensis septembris anni MCML dictae Commissiones Coetusque peculiaris absolverunt. Exemplaria ultima statutorum propositorum ad omnes Synodales missa sunt, quibus adnexae erant litterae per quas clerici ad sententiam suam Promotori Synodi tempestive patefaciendam, animadversionesque in schema paratum subjiciendas invitabantur.

Denique, die XI mensis octobris anno MCML, Eminentissimus Cardinalis Archiepiscopus edidit Decretum quo solemniter Synodum Dioecesanam XVII Neo-Eboracensem, die XXV mensis octobris anno MCML, in Ecclesia Cathedrali Sancti Patricii, in Urbe Novo Eboraco, celebrandam convocavit.

Officiales Synodi

Promotor:

Ill.mus ac Rev.mus Eduardus R. Gaffney, S.T.L., V.G.

Secretarius:

Ill.mus ac Rev.mus Eduardus V. Dargin, J.C.D.

Notarii:

Ill.mi ac Rev.mi Georgius C. Ehardt, Gualterus P. Kellenberg, Joannes J. Maguire, S.T.L.

Procurator Cleri:

Ill.mus ac Rev.mus Robertus E. McCormick, J.C.D.

Scrutatores:

Rev.di Jacobus B. Nash, S.T.L., Joannes L. Dolan, J.C.D.

Magistri Caeremoniarum:

Adm. Rev.dus Ioannes M. Fleming, Rev.di Thomas A. Donnellan, J.C.D.,
Carolus J. McManus

Cantores:

Rev.di Franciscus X. Duffy, Joannes J. Reardon, Eduardus Conroy

Commissiones Praesynodales

Commissio Generalis:

E.mus ac Rev.mus Franciscus Cardinalis Spellman, Praeses
Exc.mus ac Rev.mus Josephus P. Donahue, D.D., V.G., Vice-Praeses
Exc.mus ac Rev.mus Stephanus J. Donahue, D.D.
Exc.mus ac Rev.mus Thomas J. McDonnell, D.D., LL.D.
Exc.mus ac Rev.mus Josephus F. Flannelly, D.D.
Ill.mus ac Rev.mus Eduardus R. Gaffney, S.T.L., V.G.
Ill.mus ac Rev.mus Josephus A. Farrell, P.A., V.F.
Ill.mus ac Rev.mus Henricus O'Carroll, P.A., V.F.
Ill.mus ac Rev.mus Eduardus V. Dargin, J.C.D.
Ill.mus ac Rev.mus Martinus J. Drury, V.F.
Ill.mus ac Rev.mus Georgius C. Ehardt
Ill.mus ac Rev.mus Gualterus P. Kellenberg
Ill.mus ac Rev.mus Jacobus P. Kelly, J.C.D.
Ill.mus ac Rev.mus Joannes J. Maguire, S.T.L.
Ill.mus ac Rev.mus Robertus E. McCormick, J.C.D.
Ill.mus ac Rev.mus Joannes S. Middleton, Ph.D.
Ill.mus ac Rev.mus Josephus A. Nelson, D.D.
Ill.mus ac Rev.mus Michael P. O'Shea, V.F.
Ill.mus ac Rev.mus Franciscus X. Shea, V.F.
Ill.mus ac Rev.mus Thaddeus W. Tierney, V.F.
Rev.dus Joannes M. Costello, J.C.D.
Rev.dus Jacobus B. Nash, S.T.L., Secretarius.

De Personis:

Exc.mus ac Rev.mus Stephanus J. Donahue, D.D., Praeses
Ill.mus ac Rev.mus Cajetan Arcese, P.A.
Ill.mus ac Rev.mus Joannes J. Casey
Ill.mus ac Rev.mus Henricus F. Hammer
Ill.mus ac Rev.mus Joannes J. Hartigan, S.T.L.
Ill.mus ac Rev.mus Gualterus P. Kellenberg
Ill.mus ac Rev.mus Stephanus Krasula
Ill.mus ac Rev.mus Georgius A. Kreidel, S.T.B.
Ill.mus ac Rev.mus Josephus A. McCaffrey
Ill.mus ac Rev.mus Josephus A. Nelson, D.D.
Ill.mus ac Rev.mus Joannes J. O'Donnell
Adm. Rev.dus Josephus M. Pernicone, J.C.D.
Rev.dus Jacobus B. Roberts, J.C.D., Secretarius

De Sacramentis:

Exc.mus ac Rev.mus Thomas J. McDonnell, D.D., LL.D., Praeses
Ill.mus ac Rev.mus Thomas J. Deegan, D.D.
Ill.mus ac Rev.mus Josephus M. Egan
Ill.mus ac Rev.mus Carolus E. Fitzgerald, Ph.D.
Ill.mus ac Rev.mus Josephus McCarthy, B.D., B.C.L.
Ill.mus ac Rev.mus Robertus B. Mulcahy, D.D.
Ill.mus ac Rev.mus Franciscus J. Murphy, S.T.D.
Rev.dus Joannes Leo Dolan, J.C.D.
Rev.dus Gulielmus R. O'Connor, S.T.L., Ph.D.
Rev.dus Franciscus F. Reh, S.T.L.
Rev.dus Jacobus B. Nash, S.T.L., Secretarius

De Locis et Temporibus Sacris, De Cultu Divino et De Magisterio Ecclesiae:

Exc.mus ac Rev.mus Josephus F. Flannelly, Praeses
Ill.mus ac Rev.mus Georgius C. Ehardt
Ill.mus ac Rev.mus Joannes M. Fearn, S.T.D.
Ill.mus ac Rev.mus Carolus L. Giblin, S.T.L.
Ill.mus ac Rev.mus Gulielmus R. Kelly, LL.D.
Ill.mus ac Rev.mus Josephus S. Middleton, Ph.D.
Ill.mus ac Rev.mus Arthurus J. Scanlan, S.T.D.
Ill.mus ac Rev.mus Eduardus J. Waterson, S.T.D.
Adm. Rev.dus Joannes J. Voight, Ed.D., M.A.
Rev.dus Andreas F. Quinn, J.C.D.
Rev.dus Thomas A. Donnellan, J.C.D., Secretarius

De Bonis Temporalibus et De Sacris Processionibus:

Ill.mus ac Rev.mus Eduardus R. Gaffney, S.T.L., V.G., Praeses
Ill.mus ac Rev.mus Aloysius C. Dineen
Ill.mus ac Rev.mus Jacobus P. Kelly, J.C.D.
Ill.mus ac Rev.mus Joannes J. Maguire, S.T.L.
Ill.mus ac Rev.mus Robertus E. McCormick, J.C.D.
Ill.mus ac Rev.mus Franciscus W. Walsh, LL.D.
Rev.dus Daniel J. Donovan
Rev.dus Joannes M. Costello, J.C.D., Secretarius

Acta Synodi

Ad normam Decreti Convocationis, editi ab Eminentissimo ac Reverendissimo Domino, Francisco Cardinali Spellman, Archiepiscopo Neo-Eboracensi, celebrata est Synodus Dioecesana Neo-Eboracensis XVII, in Ecclesia Cathedrali Sancti Patricii, die XXV mensis octobris anni MCML, in ipsa urbe Archiepiscopali.

Hora decima matutina, Missa sollemnis de Spiritu Sancto, praesentibus omnibus clericis ad Synodum invitatis, a Cardinali Archiepiscopo celebrata est. Deinde Eminentissimus Dominus Archiepiscopus Synodales adstantes de Sacerdotio Catholico paterne allocutus est eosdem enixe in Domino adhortans ut verum animum sacerdotalem ardentemque animarum zelum, in exercendo ministerio, colerent.

Caeremoniis quae in Pontificali Romano prescribuntur rite expletis, Eminentissimus Archiepiscopus, instante Promotore Synodali, mandavit ut Decretum de aperienda Synodo a Notario legeretur.

Lecto vero Decreto de aperienda Synodo, Notarius textum Benedictionis Apostolicae a Summo Pontifice Pio XII benigne in Synodum collatae proclamavit.

Ad instantiam Promotoris, Cardinalis Archiepiscopus Notario mandavit ut Decretum quo Officiales Synodi nominabantur legeret.

Juxta morem olim a Patribus traditum, instante Promotore, Cardinalis Archiepiscopus Notario praecepit, ut Decretum publicaret quo clerici praesentes sollemnem Fidei Professionem emitterent.

Quo Decreto praelecto, Eminentissimus Praesul ad altare genuflexus, ceterique Synodales in locis suis similiter

genuflexi, Professionem Fidei, juxta formam ab Apostolica Sede approbatam, emiserunt.

Professione solemniter peracta, Cardinalis Archiepiscopus, instante Promotore, Decretum de constituendis Judicibus et Examinatoribus Synodalibus et Parochis Consultoribus legi jussit. Clerici praesentes omnes ad unum Officiales nominatos approbarunt.

Deinde Cardinali Archiepiscopo annuente, Secretarius Synodi quaedam statuta majoris momenti praelecta fusius exposuit, atque etiam ea quae, secundum animadversiones a pluribus Synodalibus allatas, vel adjecta vel recognita fuerant.

Qui Synodales rite edocti a Notario de jure votum consultivum praestandi, unanimiter statuta proposita approbatione sua munierunt. Tum Notarius, de mandato Cardinalis Archiepiscopi, annuntiavit statuta vim legis habitura esse a die prima mensis januarii anni MCMLI.

Instante Promotore, Notarius de mandato Cardinalis Archiepiscopi, Decretum de Synodo terminanda legit.

Denique, absolutis precibus et accepta benedictione a Cardinali Archiepiscopo impertita atque Hymno Ambrosiano ab universo clero decantato, Synodo Dioecesanæ Neo-Eboracensi XVII finis impositus est.

In quorum fidem, etc.,

GUALTERUS P. KELLENBERG,
Notarius Synodi.

Ministri ad Missam Pontificalem

Presbyter Assistens:

Ill.mus ac Rev.mus Jacobus P. Kelly, J.C.D.

Diaconi Assistentes:

Ill.mus ac Rev.mus Joannes S. Middleton, Ph.D.

Ill.mus ac Rev.mus Jacobus J. Lynch

Diaconus Missae:

Rev.dus Leo J. Gregg

Subdiaconus Missae:

Rev.dus Joannes F. Curran

Magistri Caeremoniarum:

Adm. Rev.dus Joannes M. Fleming

Rev.dus Thomas A. Donnellan, J.C.D.

Rev.dus Carolus J. McManus

Ministri:

De Baculo: Rev.dus Joannes A. McDermott

De Mitra: Rev.dus Paulus M. Andrews

De Libro: Rev.dus Jacobus M. Derrenbacher

De Bugia: Rev.dus Joannes P. Fleming

De Gremiali: Rev.dus Benjaminus J. Wasielewski

De Caudatario: Rev.dus Eugenius J. Sheridan

Acolythi:

Rev.dus Eduardus J. Jordan

Rev.dus Vincentius A. Julian

Thuriferarii:

Rev.dus Arthurus F. Nugent

Rev.dus Petrus C. McKay

Subdiaconus ad Crucem Archiepiscopalem:

Rev.dus Michael F. Kowalczyk

Crucifer:

Rev.dus Jacobus E. Byrne

Ceroferarii:

Rev.dus Joannes F. Fitzgerald

Rev.dus Gulielmus A. Gorman

Rev.dus Matthaeus V. Peters

Rev.dus Austinus D. Holland

Rev.dus Bernardus P. Corrigan

Rev.dus Joannes P. Breen

Allocutio Cardinalis Archiepiscopi ad Clerum Habita

Beloved brothers in Christ: Priests of the Lord are we, united by the bonds of our sacred calling, our souls suffused with Orders that bind us forever to God. Nearer are we to Him than mother and child in the birthing, closer than all human relations, dearer than all the fairest of friendships, for ours is the noblest of unions, our union with Him Who is Triune and One. Christ, the King of Kings, waits on our word to become a child in our arms. Our lips and our words are His, powered to stem the tide of God's wrath, to speak His forgiveness, to break for the children of men the Bread of His Truth—the truth that is stranger than fiction—His presence Divine on our altars.

Childless, we still are called "Father"; homeless, we are always at home; lonely, our souls have a fullness that only Christ's Spirit can give. The innocent count on our virtue, the guilty seek us as their shield. Dispensers of God's mantling mercies, ours is the privilege and duty to guide men aright on life's journey and faithfully lead them to God.

And, in this godless era of satanic wars, we who are heirs to our loving Lord's faith face the gravest crisis in the stormy, embattled history of the Church. But we face it not with fear and not alone, for, in this chaotic, God-hating world, we know that in oneness with Christ we can do all things charged unto our care. We who are privileged to share in this sublime union, we priests of New York participating in this Synod, must ever keep before us the supreme and final law of our lives—the salvation of immortal souls! Entrusted with this sacred duty each must remember that his prime responsibility is to look deep

within his own soul and keep it untouched, untarnished, free from sin; for a priest must ever be inwardly, as outwardly he seems to be: holy, humble-minded, great-hearted, seeking to spend himself selflessly, tirelessly for his flock as he strives fearlessly to emulate Christ, his own and all mankind's Saviour and Redeemer. Steadfast shepherd, teacher and friend, the priest must guide his flock with human understanding, tenderness, wisdom and strength, working close to men on earth, while spiritually living close to God in heaven.

When we answered Christ's call to the priesthood we became members in the most ancient of all labor unions whose first and greatest law demands that no soul redeemed by Christ should be unclaimed by us, no wilderness too vast wherein we should not seek lost sheep; no sea of sorrow or discouragement too deep wherein we should not plunge to try to save a soul adrift, and lift it unto God. We pledged ourselves then to be what Christ was and is, what St. Paul and every true priest must be: "All things to all men." And naught of this has ever changed since that day when the Great High Priest Himself said to His Peter and Andrew and James and John, "Come, and I will make you fishers of men."

Graced with the charity of Christ, godly men of the Church, loyal and courageous Americans, we must keep our hearts as gentle as they are generous, sensitive only to the honor of God and to Catholic truth, free from personal pride or vanity, as we work tirelessly, constantly in the cause of Christ. All the forces of our intellect illumined by the eternal flame of faith must be combined to meet the challenge of those who ignore or despise the rights

of God, as loyally, dauntlessly we bear the Cross of Him Who died on the Cross for us.

Even as we are assembled here — one of the largest number of priests ever gathered together in the history of our great and blessed country—the whole world is full of fear with signs of panic multiplying. All is insecurity, disorder and darkness. War and death are stirring in the shadows, lying low upon the hills. Countless millions crushed to earth by the sheer burden of living, are despairing of help, as wild and ominous storms beat upon their bodies and souls. Men cannot see God for the spiritual darkness that surrounds them and wars grow deadlier with the decades. Lands lie blasted; famines rage; anarchy reigns on earth; despair dwells in human hearts.

In these dark days we, priests of Christ's Church, with our fullness of faith must strive to bring the light of God's mind to eyes that are empty of sight, God's message of hope to ears that are empty of sound, God's charity to hearts that are dead to the spark of Divine Love. Christ Himself has empowered us with His priesthood from out which flow streams of graces to conquer enmity by charity, darkness by light and death by life. And, in this twentieth century of fear and faithlessness, mankind's misery is at once our cross and our challenge. Ours is the glory and duty to dispel the mists of man's error and cruelty and to shepherd both the believer and the unbeliever, striking off the shackles of tyranny and godlessness and guiding men onward from out forests primeval—onward to faith and peace everlasting in God.

Therefore do I beg you, dearly beloved brother-priests of the Archdiocese of New York, to recall and ever to be mindful of the words of Pope Pius XI: "We declare our

days call for heroic living. We are no longer permitted to be mediocre." Yet, these are dangerous days that frame our lives—days that call for courage, constancy and faith, and I pray you to resolve to be, as I exhort myself to be: a near and familiar friend with God that you may be precious and beloved in His sight. Be blessed with true humility and simple obedience. Be fortified with the spiritual armor to combat the forces of evil. Be strengthened with the might of faith. Be not drawn away from God with desires of anything, whether petty or precious, but look upon all things earthly as passing, and upon yourself as about to pass away with them. Be true to the priesthood, for there is no worse enemy of man even unto himself, than a priest who is not in harmony with the merciful Spirit of Christ. And in that Spirit, with its powerful help and profitable counsel, you can do all things for your own soul's salvation and for the edification and salvation of the souls of countless others.

Clothed in the majesty of apostles of Jesus Christ, clothed not alone in body but also in soul with a plenitude of grace and glory, we priests rival the angels so close are we to God in our holy vocation; and, as at day's dawning His Son leans upon our breasts, and we kneel in His Divine Presence, we thank Him for our priesthood and all the other blessings that He has bestowed upon us, and we implore Him, the all-merciful Shepherd, to keep us, His shepherds of New York, close and faithful to Him forevermore.

Dear Jesus, in this hour of dreadful need we implore Thee save us! Crimsoned war clouds gather once again about us to rain down ruin, blood and death. Save us or we perish from the earth; save us by Thy love for mankind, by Thy

love for Thy Church, by Thy love for souls, save us, for we cannot save ourselves!

By Thy pierced heart, save us! Make our hearts one with Thine, that our will may be Thy will, and Thy Divine love, our love, that we may make reparation for the sins of the world, thus averting the wrath of Thy justice upon a willful, sinful world, a world that has defied Thy laws, mocked Thy love, and taken unto itself strange gods.

By Thy Sacred Wounds, O Jesus, save us! Heal Thou the wounds of a world now dying, a world crucified on its cross of sin, by wounds of anarchy and atheism, wounds of despotism and slavery, wounds of fear and greed, wounds of disease, desolation and death. Pour into the soul of this sick and stricken world the oil and wine of Thy mercy and truth.

By Thy thorn-crowned head, O Jesus, save us! Make the light of Thy holy mind shine into the minds of men, dispelling distrust and deceit, inspiring them with the purposes of Thy will, that by common counsel and consent, mutual understanding and co-operation, men may build through Thee an enduring and universal peace, a peace which man by himself cannot find, the peace which God alone can give.

O Blessed Prince of Peace, Who rulest by love and love alone, we consecrate ourselves to Thy most Sacred Heart. With faith and hope and love, we follow Thee, O Jesus. We reverence, love and obey Thy Vicar on earth, Our Holy Father, who warns us that the future belongs to those who love and not to those who hate!

Reign Thou, O Jesus, in the Kingdom of Thy love and grant that through Thy Church, men may learn to live, in happiness and liberty and peace. Amen.

Judices et Examinatores Synodales et Parochi Consultores

Judices Synodales:

Ill.mus ac Rev.mus Eduardus V. Dargin, J.C.D.
Ill.mus ac Rev.mus Robertus E. McCormick, J.C.D.
Rev.dus Thomas A. Donnellan, J.C.D.
Rev.dus Andreas F. Quinn, J.C.D.

Examinatores Synodales:

Ill.mus ac Rev.mus Joannes J. Casey
Ill.mus ac Rev.mus Thomas J. Deegan, S.T.D.
Ill.mus ac Rev.mus Josephus M. Egan
Ill.mus ac Rev.mus Joannes M. Fearn, S.T.D.
Ill.mus ac Rev.mus Carolus L. Giblin, S.T.L.
Ill.mus ac Rev.mus Joannes J. Hartigan, S.T.L.
Ill.mus ac Rev.mus Josephus MacCarthy, B.D., B.C.L.
Ill.mus ac Rev.mus Robertus B. Mulcahey, Ph.D.
Ill.mus ac Rev.mus Arthurus J. Scanlan, S.T.D.
Adm. Rev.dus Eduardus M. Betowski
Rev.dus Gulielmus P. Little, D.D.
Rev.dus Gulielmus R. O'Connor, S.T.L., Ph.D.

Parochi Consultores:

Ill.mus ac Rev.mus Arthurus J. Avar
Ill.mus ac Rev.mus T. Josephus Doyle
Ill.mus ac Rev.mus Cornelius J. Drew
Ill.mus ac Rev.mus Philippus J. Furlong, Ph.D., LL.D.
Ill.mus ac Rev.mus Henricus F. Hammer
Ill.mus ac Rev.mus Josephus A. McCaffrey

STATUTA SYNODALIA

PARS PRIMA

NORMAE GENERALES

1.

§ 1. Statuta hujus Synodi jus particulare Sedis Metropolitanae Neo-Eboracensis constituunt atque ejus clerum tum saecularem tum regularem simul ac populum ritus latini obligant.

§ 2. Servant haec statuta ea quae praescripserunt Codex Juris Canonici, decreta Sacrarum Congregationum atque statuta Conciliorum tum Plenariorum tum Provincialium (Can. 356).

2.

Cum Sancta Sedes ita conceptissimis verbis providerit, fideles rituum orientalium qui ritus sui cujusque Ordinarios in regione Statuum Foederatorum non habent, jurisdictioni Ordinariorum latinorum subjacent (Fontes, Vol. III, p. 457; Coll., N. 1966; S. C. Or. [Ad Delegatum Apost., Washington.] 29 maii, 1925).

3.

§ 1. Statuta hujus Synodi die prima januarii anno 1951 vim suam exserunt, ex quo tempore omnes huc usque vigentes leges particulares hujus dioecesis abrogantur, nisi in praesentibus statutis vel in legitimis consuetudinibus, quae his statutis contrariae non sunt, contineantur.

§ 2. Consuetudines statutis hujus Synodi contrariae, licet sint immemorabiles, suppressae habeantur neve in posterum reviviscere sinantur.

4.

Leges et praescripta dioecesana extra synodum lata promulgantur per editionem in libello cui titulus "Conference Bulletin of the Archdiocese of New York," et statim a promulgatione obligare incipiunt nisi aliud in ipsis caveatur (Can. 335).

5.

Statuta synodalia unus Archiepiscopus authentice interpretatur.

6.

Actus positi contra praescripta statutorum hujus archidioecesis eos prohibentium non eo ipso irritantur.

7.

Quando in hujus synodi statutis de tempore actum fuerit, ad normam Canonum 31-35 Codicis Juris Canonici supputetur.

8.

Cum in his statutis consultatio cum Archiepiscopo seu Ordinario vel ejus licentia requisita fuerit, Vicarii Generales et alii Officiales Curiae juxta sua quisque munera etiam intelliguntur, nisi aliud expresse caveatur, aut res ex sermonis contextu aut generalibus principiis Juris Canonici appareat.

9.

Referant omnes negotium officiale in scriptis, et mentionem faciant alicujus relationis praecedentis in eodem casu (Can. 44).

10.

Epistolae de rebus agendis quae tractant, juxta materiae naturam ad Officium competens ab Archiepiscopo institutum dirigantur, nisi ob peculiariora adjuncta ad ipsum Archiepiscopum mitti debeant.

11.

In archivis paroeciarum exemplar statutorum synodaliū asservetur. Curent sacerdotes ut statutis synodi operam dent.

PARS SECUNDA DE PERSONIS

Sectio I^a DE CLERICIS IN GENERE

12.

Clerici filialem erga Summum Pontificem pietatem fovere et monstrare, aliis Superioribus ecclesiasticis reverentiam et obedientiam exhibere, atque omnibus potestatem habentibus fidelem cooperationem praebere pergant (Can. 127-128).

13.

Clerici exercitia sequentia pietatis quae ad sanctitatem et perfectionem assequendam omnino necessaria sunt ne intermittant: quotidianam praxim orationis mentalis, continentem devotionem erga Sanctissimum Sacramentum, quotidianum conscientiae examen, frequentem receptionem sacramenti poenitentiae, filialem erga Deiparam Virginem devotionem et quotidianam recitationem mariani rosarii (Can. 125).

14.

Omnes dioecesani sacerdotes hujus archidioecesis, iis exceptis qui annum sexagesimum quintum expleverint, quotannis, tempore et loco determinatis, spiritualibus exercitiis vacare debent, nisi in casu particulari quis ab eis eximatur (Can. 126).

15.

Omnes sacerdotes, iis exceptis qui gradum saltem licentiae in ulla ex sacris scientiis adepti fuerint et aliis ab Ordinario exemptis, examen singulis annis per quinquennium a sua ad presbyteratus ordinem elevatione in diversis sacrarum scientiarum disciplinis subeant (Can. 130).

16.

Collationibus theologicis tempore praestituto interesse obligatione tenentur tum omnes sacerdotes saeculares, tum religiosi curam animarum habentes (Can. 131).

17.

Sacerdotes animo revolvant se operam continuo dare debere studiis quae propria sunt muneri sacerdotali. Repetant, data occasione, ea quae libris manualibus traduntur et documentis clarissimis Apostolicae Sedis studeant (Can. 129).

18.

Clerici qui operam navant studiis superioribus in universitatibus catholicis commenduntur. Meminerint omnes sacerdotes Sedem Apostolicam severis tantum conditionibus impletis permisisse ut clerici universitates saeculares frequentent (S. C. Consist., A. A. S., 10-237).

19.

§ 1. Sacerdotes archidioecesis, ii etiam lege generali residentiae non obstricti, in domo paroeciali, sede ecclesiastica, vel alia habitatione sibi assignata resideant. Sacerdotes externi quibus munus dioecesanum fuerit commissum in loco pro se assignato vel approbato resideant (Can. 134).

Sectio II^a DE CLERICIS IN SPECIE

1.

De Curia Dioecesana

37.

Sequentes, de quibus mentio in his statutis fit, ad Curiam pertinent: Reverendissimi Episcopi Auxiliares, Vicarii Generales, Officialis alique ministri Tribunalis, Cancellarii eorumque adjutores, Vicarius pro religiosis ejusque adjutores, Dioecesani Consultores, Parochi Consultores et Examinatores Synodales (Can. 363).

38.

Sacerdotes nominati ad officia in Curia jusjurandum de munere fideliter exercendo atque de secreto quoad acta officialia servando emittere debent.

39.

Sequentes decanatus huius archidioecesis confirmantur: Bronx, Richmond, Westchester, Putnam et Dutchess, Rockland et Orange, Ulster et Sullivan.

40.

Decani debent, statutis ab Ordinario temporibus, suarum regionum paroecias visitare, et rationem in scriptis reddere, exponentes modo generali et summario talium visitationum exitum (Can. 447).

2.

De Parochis

41.

Parochi, memores sublimae vocationis et gravitatis officiosae, nitantur ut indolem, virtutem, prudentiam et scientiam amplificent quibus perfectius munera ministerii sacri adimplere possint.

42.

§ 1. Sacerdos nominatus ad paroeciam antequam ejusdem canonicam possessionem capiat fidei professionem edere debet (Can. 461).

§ 2. Parochus, infra mensem post captam paroeciae canonicam possessionem, in cancellaria ultimi testamenti exemplar obsignatum deponet; et si postea mutationes aliquae in testamento introducuntur exemplar testamenti mutati deponet.

§ 3. Parochi curent ut exemplar semper accuratum inventarii bonorum propriorum quae in domo paroeciali asservantur in cancellaria habeatur. Omnia bona quae in inventario personali notata non fuerint pertinere ad paroeciam praesumentur (III Balt., n. 276).

43.

§ 1. Parochi in hac archidioecesi salarium ab Ordinario, consultorum dioecesanorum consilio audito, determinandum recipiunt.

§ 2. Juxta consuetudinem centenariam parochi integra jura stolae occasione administrationis sacramentorum baptismi et matrimonii aut funeris percepta ad sumptus domesticos in domo paroeciali conferre debent.

50.

§ 1. Parochus acta in singulis libris paroecialibus describenda accurate et integre maxima diligentia et nitida scriptura illico adnotet. Registra illa in foliis nitide ligatis conserventur, atque in arca ferrea bene obserata et ignibus impervia asserventur. Tempore visitationis episcopalis inspectioni obnoxia sunt (Can. 470).

§ 2. Sine licentia a cancellaria obtinenda mutationes actorum in registris paroecialibus prohibentur; et concessae licentiae in ipso libro paroeciali adnotatio fiat. Ex his registris paroecialibus materia pro relatione de statu animarum desumatur quae juxta formam a cancellaria exaratam quotannis ante diem vigesimam mensis januarii submitti debet.

§ 3. Ut laici registra officialia paroeciae inspiciant numquam permittitur; numquam neve notationes in libris facere, neve documenta e libris transcribere licet.

51.

Parochus sigillum proprium paroeciale habeat quo omnia documenta officialia muniri debent; et religiose caveat ne ad manus extraneorum perveniat (Can. 470).

52.

Epistolae quae fideles archidioecesis respiciunt integrae eisdem in omnibus Missis statutis diebus dominicis sunt perlegendae.

53.

Meminerint parochi omnem petitionem de pecuniis colligendis in favorem missionum sive domesticarum sive

externarum, vel in favorem finis caritativi extra-dioecesani, juxta formam qua in hac archidioecesi reguntur caritativae collectae, esse ad commissionem transmittendam quae administrationi dictae formae ("The Missionary Cooperative Plan") praeficitur (cfr. Statutum 209).

3.

De Vicariis Paroecialibus

54.

§ 1. Jura et obligationes vicarii cooperatoris in his statutis dioecesanis, in litteris quibus nominatur, in elencho facultatum ei concessarum et in ipsius parochi commissione statuuntur.

§ 2. Nisi in litteris aliud expresse caveatur, vicarius cooperator pro universo paroeciali ministerio sub parochi directione constituitur.

§ 3. Vicarii cooperatores in hac archidioecesi et sacerdotes in auxilium vocati, exeunte hebdomada, salarium vel stipendium ab Ordinario determinandum, consultorum dioecesanorum consilio audito, recipiunt (Can. 476).

55.

§ 1. Vicariis cooperatoribus e domo paroeciali absentia ultra hebdomadam, excepto tempore vacationis annuae, sine Ordinarii licentia prohibetur; pro tempore brevioris absentiae parochi licentia sufficit.

§ 2. Vicarius cooperator ob necessitatem vel legitimam causam e domo paroeciali vespere discedens ultra horam noctis rationabilem extra domum ne commoretur.

4.

De Cappellanis

56.

Pro qualibet domo religiosa aut pia jurisdictioni dioecessanae subjecta cappellanum sive residentialem sive non residentialem designare ad Ordinarium pertinet.

57.

Caveat cappellanus ne instituti cui inservit regimini sive interno sive externo se immisceat.

58.

Cappellani qui integrum diem muneri adimplendo impendunt compensentur salario, victu et habitatione eodem modo ac vicarii cooperatores. Cappellani vero qui ex parte tantum inserviunt compensentur secundum ministeria prout Ordinarius judicaverit.

59.

Sacerdotes nominati ut curam habeant de bono spirituali fidelium in institutis acatholicis, publicis vel privatis, ut catholici in talibus institutis omnem consolationem spiritualem accipiant, studiose in ministerio esse et eos crebro visitare debent.

Sectio III^a**DE RELIGIOSIS**

60.

Status religiosus ab omnibus in honore habendus est. Fideles continuo meminerint fidem et caritatem atque

opera spiritualia et corporalia misericordiae quae inspirationi et activitati communitatum religiosarum debentur (Can. 487).

61.

§ 1. Meminerint Superiores Congregationum juris dioecessani domos suas in hac archidioecesi ad normam juris Ordinarii jurisdictioni remanere plane subjectas (Can. 492).

§ 2. Ut aedificentur vel administrentur schola, nosocomium, vel cujuscumque rationis aedes separata a domo religiosa, religiosi etiam exempti Ordinarii licentiam in scriptis datam requirunt (Can. 497).

62.

Nulla religiosa domus erigatur nisi judicari prudenter possit congruae sodalium habitationi et sustentationi provisum iri (Can. 496).

63.

Quo melius promoveantur religiones laicales, munus Vicarii pro religiosis in hac archidioecesi institutum est, cui omnia negotia ad easdem pertinentia deferantur.

64.

§ 1. Superiores religiosi curent ut omnia praescripta Codicis Juris Canonici de confessariis pro religiosis adimpleantur (Can. 518-530).

§ 2. Confessarii ordinarii vel extraordinarii religiosarum ad confessiones excipiendas tempore statuto et apto tum sibi tum communitati tempestive accedant; ad munus rite implendum opera theologiae asceticae et mysticae perlegendo se praeparent.

§ 3. Confessarius religiosarum constitutiones, regulas et consuetudinaria communitalis apud quam ministerium exercet bene noscere debet.

65.

Confessarii religiosarum interno vel externo communitalis regimini nullo modo sese immisceant (Can. 524).

66.

In domibus religiosarum dioecesanæ jurisdictioni subiectis conferentiae de vita spirituali unoquoque mense a sacerdotibus a Vicario pro religiosis approbatis praebeantur. De re catechetica et similibus postulantes et novitiae quantum fieri potest a sacerdote instituantur.

67.

Superiores religiosi praescripta omnia Juris Canonici de bonis acquirendis, de pecuniis collocandis vel mutuandis et de aliis negotiis pecuniariis adamussim servant (Can. 531-537).

Sectio IV^a

DE LAICIS

68.

§ 1. Ut sanctus et devotus foveatur apostolatus laicus, christifideles urgeantur ut pie auxilia spiritualia adhibeant, praesertim frequentem receptionem sacramentorum, exercitia spiritualia et missiones sacras.

§ 2. Operam dent omnes fideles iis quae docet Ecclesia Romana Catholica; et iisdem fidelibus maxime commendatur studium in sodaliciis pro religione ediscenda, prelo catholico et aliis auxiliis promovendis quae Ecclesia ad fidem manifestandam adhibet.

69.

§ 1. In unaquaque paroecia associationes canonicae pro fidelibus institui debent, praesertim Confraternitates SSmi. Sacramenti, Sancti Rosarii, Doctrinae Christianae, et Pontificia Societas de Propaganda Fide.

§ 2. Societas SSmi. Nominis Jesu, Sodalitas Beatae Mariae Virginis, Societas S. Vincentii a Paulo, Associatio Catholica pro auxilio Proximi Orientis, Apostolatus Orationis, et tertii Ordines saeculares omnes valde commendantur (Can. 684; III Balt., nn. 256-259).

70.

Caveant fideles ab associationibus secretis, damnatis, seditiosis, suspectis aut quae studeant sese a legitima Ecclesiae vigilantia subducere (Can. 684; 1240).

71.

Fideles obligatione conscientiae tenentur suam paroeciam sustentandi, neque adaequate solvitur obligatio si aliis ecclesiis aut operibus caritatis pecunias tribuant quin necessitatibus propriae paroeciae recte prospiciant (Can. 94; 1496).

72.

§ 1. Praebeant fideles bonum exemplum et magnopere curent ut mores christiani, praesertim in oblectamentis, spectaculis et gestis socialibus promoveantur.

§ 2. Associationes catholicae sint aliis exemplo ne gesta socialia sera nocte incipiant quae in mane durent; neque haec tempore Adventus vel Quadragesimae instituantur.

§ 3. Neque adsint theatri vel scaenis cinematographicis neque publicationes periodicas perlegant fideles nisi ea approbaverint societates quibus tituli "Diocesan Committee for Decency in Magazines and Theatres" et "League of Decency."

PARS TERTIA

DE REBUS ECCLESIASTICIS

Sectio I^a

DE SACRAMENTIS IN GENERE

73.

§ 1. Olea sacra feria V in Coena Domini benedicta apud cathedralem ecclesiam vel decanatus rurales obtineri debent. A presbyteris vel clericis in sacris constitutis, non autem, excepto casu gravis necessitatis, a laicis, procuranda sunt (Can. 734; S. C. Rit., 3897).

§ 2. Nisi quando visitatio infirmorum fit, sacerdotes apud seipsos vel in curru automobili olea sacra ne asportent (Can. 735).

74.

§ 1. Sacerdotes a fidelibus sponte oblatas eleemosynas occasione administrationis baptismi vel celebrationis matrimonii accipere possunt, salvo praescriptis Can. 463, § 3, et Statuti 43, § 2.

§ 2. Prohibetur quominus sacerdos occasione administrationis aliorum sacramentorum quidquam accipiat.

Sectio II^a

DE SACRAMENTIS IN SPECIE

De Baptismo

75.

§ 1. Moneantur fideles proprium baptismi sollemnis administrandi locum esse ecclesiam cujusque parocialem;

107.

Sacerdotes meminerint statutorum in Can. 854, § 2, de ministracione SS. Eucharistiae pueris in periculo mortis constitutis.

108.

Piae sodalitates coelestibus pueritiae patronis dicatae promoveantur ut pueri ad receptionem communionis frequentem excitentur.

109.

§ 1. In periculo mortis fideles sacrae communionis recipiendae praecepto tenentur. Perdurante mortis periculo, Sanctum Viaticum, secundum prudentis confessarii consilium, pluries, distinctis diebus vel etiam cotidie, quamvis non jejuni suscipere possunt. Ideoque sacerdotes non sint contenti de unica ministracione SS. Sacramenti moribundis (Can. 864).

§ 2. Cum Sanctum Viaticum infirmis nimium differri non debeat, adhortandi sunt fideles ut sacerdotem qui id moribundis ministret tempestive arcessant (Can. 865).

De Poenitentia

110.

Confessarii omnes fidelium confessiones quoties ii audiri rationabiliter petant, prompte ac libenter, etiam extra horas consuetas, audiant. Parochi alique confessarii meminerint se iustitiae ac caritatis obligatione audiendi confessiones teneri (Can. 892).

111.

Confessarii ad audiendas confessiones tempore statuto se sistant. Et nisi necessitas urgeat colloquia cum fidelibus

ne habeant si quando intra horas ad audiendas nullus poenitens sedi confessionali adsit.

112.

Ut confessarii idonei pro fidelibus diversae linguae pluries in anno, si casus ferat, suppeditentur a parochis valde commendatur; adventus specialis confessarii paucis ante diebus enuntietur.

113.

Quoties parochus, data speciali occasione, jurisdictionem ad audiendas confessiones velit obtinere pro confessario suppletorio, petitio in scriptis dirigenda ad cancellarium contineat nomen sacerdotis ejusque dioecesis aut communitatis religiosae et durationem temporis quo currente jurisdictio quaeritur; unacum petitione litterae ab Ordinario vel Superiore sacerdotis datae mittantur.

114.

Omni sacerdoti extraneo, sive saeculari sive religioso, qui jurisdictione ad audiendas confessiones a suo proprio Ordinario vel Superiore concessa gaudet, conceditur jurisdictio ad confessionem audiendam cujuscumque sacerdotis hujus archidioecesis qui apud eum intra territorium hujus archidioecesis confessionem instituat (V, Neo-Eborac., n. 157).

115.

Ad confessiones religiosarum recipiendas peculiaris jurisdictio requiritur, salvo praescripto Can. 522, 523.

116.

Preces, formulae absolutoriae adjunctae, nisi justa de causa ne omittantur (Can. 885).

117.

Sacerdotes ne quid umquam, ad confessionis sacramentalis materiam pertinens, quavis sub forma et quovis sub praetextu ne obiter quidem, nec directe nec indirecte, in suis seu publicis seu privatis sermonibus, occasione praesertim sacrarum missionum et exercitiorum spiritualium, attingant (Can. 889; S. Off., 9 junii 1915).

De Extrema Unctione

118.

§ 1. Sacerdotes extremae unctionis institutionem, naturam, effectus simul et obligationem et modum hoc sacramentum recipiendi fidelibus crebro explicent.

§ 2. Curandum est ut infirmi ante articulum mortis et dum sui plene compotes sunt unctionem recipiant; ideoque, sacerdotes hortentur fideles ut curent tempestive de ministro sacramenti arcessendo quoties quis graviter aegrotat (Can. 944).

De Ordine

119.

§ 1. Parochi et sacerdotes fideles de status sacerdotalis dignitate deque honore et reverentia ministris Ecclesiae debitis erudiant.

§ 2. Parentes, memores vitae religiosae excellentiae, excitentur ut vocationes suae proles foveant.

§ 3. Sacerdotes omnes, praesertim parochi, dent operam ut pueros, qui indicia praebeant vocationis, peculiaribus curis a saeculi contagiis arceant, ad pietatem informant, studiis imbuant divinaeque in eis vocationis germen foveant (Can. 1353).

De Matrimonio

120.

Juxta tenorem Litterarum Encyclicarum Pii XI, *Casti Connubii*, instructiones de sacramento matrimonii crebro tradantur, ne late dispersa despectio indolis sacrae matrimonii etiam fideles contagiose afficiat (A. A. S., 22-539).

121.

§ 1. Omnis sacerdos qui curat de matrimonio celebrando omni diligentia investiget num aliquid ejus validae ac licitae celebrationi obsistat (Can. 1019-1020).

§ 2. Ideoque forma in hac archidioecesi praescripta ad antenuptialem investigationem peragendam semper adhibeatur, nisi in periculo mortis tempus deficiat (S.C. Sacr., A.A.S., 33-297).

§ 3. Parochus cui jus est assistendi matrimonio, parochus nempe, nisi justa causa excuset, sponsae, obligatione tenetur investigandi num matrimonio contrahendo aliquid obstet. Haec obligatio, quae gravis est, a parochus ipso implenda est, nisi aliqua justa causa excuset. Quamvis moralem certitudinem parochus habeat nihil validae ac

licitae celebrationi matrimonii obstare, nihilominus peragenda est investigatio.

§ 4. Parochus sponsi, rogatus, investigationem instituere debet de statu libero sponsi, et de hujus exitu certorem reddere parochum sponsae.

§ 5. Peractis investigationibus antenuptialibus, documenta omnia ad eas pertinentia in archivo paroeeciae ubi celebratur matrimonium conservari debent. Obligatio documenta illa modo approbato transmittendi sine mora adimpleatur.

§ 6. Quae secreta manere debent latine et quam brevissime notentur; documentum involucro clausum in archivo deponatur.

§ 7. Documenta ad unumquodque matrimonium pertinentia in distinctis involucris secernantur; super involucrum nomina partium contrahentium et numerus paginalis registri antenuptialis inscribantur.

§ 8. Maxime interest ut interrogatio de indissolubilitate vinculi matrimonialis et de finibus matrimonii primariis modo praescripto fiat. Peculiaris de his rebus matrimonialibus detur instructio antequam interrogationes fiant.

122.

A nupturientibus, tum catholicis tum acatholicis qui asserunt se baptizatos fuisse, sacerdotes documenta collati baptismi exigant. Debet esse recens hoc testimonium in casu partis catholicae, et certo non ultra sex menses transcriptum, nisi status liber aliter possit probari. Gravis est obligatio obtinendi indicium certum de baptismo collato, et transmittendi notitiam omnis matrimonii initi ad paroeecias baptismi (Can. 1021, 1103).

123.

Catholici qui sacramentum confirmationis nondum receperunt, illud, antequam ad matrimonium admittantur, recipiant, si id possint sine gravi incommodo (Can. 1021, § 2).

124.

Sacerdotes in decursu antenuptialium investigationum nupturientes catholicos hortari debent ut sacramenta poenitentiae et SS. Eucharistiae recipiant; si recusaverint, consulatur cancellarius (Can. 1066).

125.

Parochis non licet assistere matrimonio, ne praetextu quidem avertendi fideles a turpi concubinato, aut praecavendi scandalum conjugii, quod vocant, civilis, nisi constituto sibi legitime de libero statu contrahentium et plene adimpletis juris civilis praescriptionibus (Can. 1097; A.A.S., 13-348).

126.

Meminerint parochi se, inconsulto Ordinario, illicite assistere matrimoniis immigrantium, praeterquam in casu necessitatis vel mortis periculo (Can. 1097; A.A.S., 13-348).

127.

Sacerdotes diligenter curent ne umquam matrimonium patrociniis legis civilis careat, eo quod nupturientes, contra praescripta legis de relationibus domesticis Status Neo-Eboracensis, licentiam civilem, fictitiis aetatibus allegatis, obtinuerunt. Quod hic statuitur etiam de matrimoniis mixtis valet.

128.

§ 1. Dispensationes ab impedimentis matrimonialibus juxta formulas peculiare ad hoc destinatas petendae sunt.

§ 2. Curent etiam sacerdotes ut formula recte ac nitide conscripta sit.

129.

Si quacumque de causa concessa dispensatio in usum non deducta fuerit, rescriptum, una cum brevi relatione quae rationem pro non usu contineat, ad cancellariam remittatur.

130.

Sacerdotes continuo meminerint matrimonia inter catholicos et acatholicos severissime prohiberi, et Sanctam Matrem Ecclesiam iterum atque iterum illam prohibitionem confirmasse (Can. 1060, 1070; A.A.S., 22-539).

131.

Sacerdotes, onerata eorum conscientia, certitudinem moralem de statu libero nupturientium in matrimoniis mixtis, et de cautionibus adimplendis habere debent; quibus non datis, dispensatio non est petenda.

132.

§ 1. Nulla facta relaxatione in lege generali Ecclesiae circa matrimonia mixta, ex potestate concessa in Can. 1109, § 3, per totam archidioecesim celebratio matrimonii mixti in ecclesiis permittitur.

§ 2. Si dubia sit honestas sive unius sive utriusque partis, ad cancellariam recurrendum est; et interim dum exspectatur sententia, nil de die vel loco matrimonii celebrandi statuatur.

§ 3. Si privilegium celebrandi matrimonium in ecclesia in casu particulari denegetur, vel partes eo uti nolint, in domo paroeciali celebretur.

§ 4. Caveant religiose parochi ne abusus hac de re irrepere sinantur. Ideoque in quolibet casu sequentes regulas adamussim observent:

- A. Proclamatio bannorum, juxta praescriptum Can. 1026, in mixtis matrimoniis ne fiat;
- B. Sanctissimum Sacramentum e tabernaculo ne removeatur;
- C. In matrimoniis mixtis prohibetur, praeter Missam pro sponsis etiam ulla alia Missa, ne umquam Missa existimari possit uti complementum caeremoniae matrimonii mixti (Can. 1102, § 2);
- D. Matrimonia mixta in iis tantum ecclesiis celebrari possunt quae sunt intra fines propriae paroeciae unius alteriusve partis juxta statuta in Can. 1907, § 2. Si causa cur exceptio fiat adesse videatur, cancellarius consulatur;
- E. Ingressus in sanctuarium nupturientibus et comitatu prohibetur;
- F. Sacerdos potest indui veste talari et superpelliceo, non autem stola;
- G. Quod attinet ad horam celebrationis, musicam, ornatum altaris, cereos, et alia hujusmodi, ea servantur quae congrua habentur pro matrimoniis inter catholicos;
- H. Forma liturgica peragatur juxta rationem in Rituali contentam, cui titulus: Modus Assistendi Matrimoniis Mixtis. Ideoque inter caeremonias aqua benedicta non adhibetur nec

benedicitur annulus. Attamen, si partes petant, annuli privatim vel ante vel post caeremonias benedici possunt. Modos agendi catholicis proprios, e. g., genuflectere, omnes partem in caeremoniis habentes servare debent.

133.

Praeterquam in periculo mortis celebratio matrimonii mixti extra ecclesiam vel domum paroecialem districte prohibetur.

134.

§ 1. Meminerint sacerdotes fidelibus non licere matrimonium contrahere cum iis qui notorie aut catholicam fidem abjecerunt, etsi ad sectam acatholicam non transierint, aut societatibus ab Ecclesia damnatis adscripti sunt.

§ 2. Parochus praedictis nuptiis ne assistat, nisi consulto Ordinario, qui ei permittere poterit ut matrimonio intersit, dummodo urgeat gravis causa (Can. 1065).

135.

Si publicus peccator aut censura notorie innodatus prius ad sacramentalem confessionem accedere aut cum Ecclesia reconciliari recusaverit, parochus ejus matrimonio ne assistat, nisi gravis urgeat causa, de qua, si fieri possit, consulat cancellarium. Matrimonium permitti nequit nisi constat partem catholicam non impeditam fore quoad exercitium suae religionis, et satis cautum esse catholicae educationi et baptismo omnis prolis (Can. 1066; Coll., I, n. 1205).

136.

§ 1. Quamvis prius matrimonium sive unius sive utriusque partis sit irritum aut solutum quavis ex causa, non

ideo licet aliud contrahere, antequam de prioris nullitate aut solutione ex decreto competentis tribunalis ecclesiastici constiterit.

§ 2. Si utraque pars, matrimonio cujuscumque generis antea celebrato, adhuc superstes manet, nec una nec altera, quae statum liberum vindicare velit, potest novum attentare matrimonium antequam sententia fuerit data a Dioecesano Tribunali.

§ 3. Quamvis partes sint catholicae quae matrimonium mere civile attentaverunt, nullus parochus illud sua auctoritate invalidum declarare potest sed Curiae casum submittere debet (Can. 1609, § 2).

§ 4. Vinculo validi matrimonii obstricti qui postquam divortium civile obtinuerint, matrimonium ausi fuerint attentare aut coram sacerdote Catholico aut ministro acatholico aut officiali civili, incurrunt in excommunicationem latae sententiae Ordinario reservatam (III Balt., n. 124).

137.

§ 1. Partes quae, ob rationes non spernendas, suum matrimonium invalidum esse dictitant, ad Tribunal Dioecesanum dirigantur.

§ 2. Sacerdos nullo in casu iudicium de causae meritis ante sententiam Tribunalis verbis proferat, neque testimonia partibus favorabilia, praesertim si defectus baptismi allegetur, colligat. Curiae est de hujusmodi rebus agere.

138.

Quando sacerdos delegatus matrimonio assistit, in libro matrimoniorum scriptis delegatio accepta adnotetur.

139.

Aut sacerdos matrimonium extra sponsae paroeciam celebraturus, aut ipsae partes requisitam licentiam a sponsae parrocho obtinere possunt.

140.

Parochi, inconsulto cancellario, matrimoniis mixti ritus assistere non debent (A.A.S., 41-89 sq.).

141.

§ 1. Parochi hortentur fideles ut matrimonium cum Missa pro sponso et sponsa celebretur (Can. 1101).

§ 2. Matrimonia, nisi gravi de causa, ante solis occasum celebrari debent.

142.

§ 1. Matrimonium celebratum diligenti cura et quamprimum in libro matrimoniorum et in proprio registro baptismali adnotetur (Can. 1103).

§ 2. Eadem cura remittantur ea ad recensionem publicam quae jure civili praescribuntur.

143.

Matrimonia inter catholicos in ecclesia paroeciali celebrentur. Eorum autem celebratio in oratoriis sive publicis sive semi-publicis, sine licentia Ordinarii, prohibetur.

144.

§ 1. Sacerdotes omni diligentia curare debent ut matrimonia invalida convalidentur; in convalidatione efficienda praescripta Can. 1133-1141 observent.

§ 2. Meminerint sacerdotes sanationem in radice remedium esse extraordinarium, neque petendam nisi constat simplicem convalidationem frustra omnibus modis tentatam esse.

§ 3. Quando una pars affirmat alteram recusare consensum forma jure praescripta renovare, sacerdotes ne facile credant; potius, in omni casu diligenter investigent utrum consensus originalis naturaliter sufficiens fuerit et adhuc perduret et utrum revera altera pars recuset consensum renovare forma ab Ecclesia praescripta.

Sectio III^a

DE SACRAMENTALIBUS

145.

Sacerdotes de natura, pio usu et efficacia sacramentalium fideles instruant.

146.

§ 1. Cum sacramentalia ab Ecclesia instituta sint, ritus ab Ecclesia de eis approbati accurate servantur.

§ 2. Sacerdos qui benedictiones in ecclesia extra Missam impertit indutus sit superpelliceo et stola coloris praescripti, salva consuetudine contraria aut rubricis (Can. 1148).

147.

Pius ac laude dignus mos quo puerpera benedictionem Ecclesiae post partum petit, et gratias Deo reddit, foveatur si exsistit, sin minus, in ecclesiis paroecialibus instituatur.

148.

Solus sacerdos cineres Feria IV Cinerum imponere potest. Ideoque prohibentur fideles imponere cineres in aedibus privatis. Cineres, qui distributione finita superfuerint, in sacrarium mittantur.

149.

§ 1. Sacerdotes hortentur fideles, ut domi aquam benedictam servant, quo sacramentali secundum antiquam Ecclesiae traditionem utantur.

§ 2. Habeant fideles etiam cereum benedictum domi accendendum.

PARS QUARTA

DE LOCIS ET TEMPORIBUS SACRIS, DE CULTU DIVINO, DE MAGIS- TERIO ET DE BONIS ECCLE- SIAE TEMPORALIBUS

Sectio I^a

DE LOCIS ET TEMPORIBUS SACRIS

1.

De Ecclesiis

150.

Parochi est diligenter prospicere ut sacristia, ecclesia et praesertim altare omni ex parte munda ac nitida sint uti locis sacris et rebus divinis idoneum.

151.

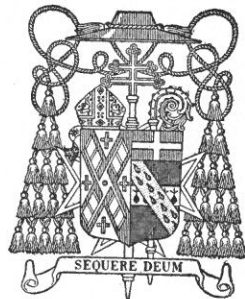
Sodales religiosi, licet consensum constituendae novae domus in hac dioecesi retulerint, antequam tamen ecclesiam vel oratorium publicum in certo ac determinato loco aedificent, Ordinarii loci licentiam in scriptis obtinere debent (Can. 1162, § 4).

152.

Ingressus in ecclesiam ad sacros ritus sit omnino gratuitus. Signa exhibita vel alia media quibus in vestibulo ecclesiae pretium exigatur sunt abusus omnino non tolerandi (Can. 1181).

Decretum Promulgationis

Franciscus



Josephus

TITULI SS. IOANNIS ET PAULI S. R. E. PRESBYTER CARDINALIS
DEI ET APOSTOLICAE SEDIS GRATIA

ARCHIEPISCOPUS NEO-EBORACENSIS

Nos, Franciscus Cardinalis Spellman, Dei et Apostolicae Sedis gratia, Archiepiscopus Neo-Eboracensis, universa et singula statuta, sicut in Synodo Diocesana Neo-Eboracensi decima septima digesta sunt, auctoritate Nostra ordinaria hisce praesentibus promulgamus, eaque vim legis pro universa Nostra Archidioecesi habere declaramus, mandantes ut ab omnibus et singulis hujus Archidioecesis sacerdotibus, tum saecularibus tum religiosis, necnon ab omnibus fidelibus ad quos spectant, fideliter et adamussim serventur a Festo Circumcisionis Domini anni proxime venturi, idest a die prima mensis januarii anni millesimi nongentesimi quinquagesimi primi.

Datum Novi Eboraci, die vigesima quinta mensis octobris, Anno Sacro scilicet millesimo nongentesimo quinquagesimo, hujus Nostrae Archidioecesis centesimo.

FRANCISCUS CARDINALIS SPELLMAN,
Archiepiscopus Neo-Eboracensis.

GUALTERUS P. KELLENBERG,
Cancellarius.

SYNODAL STATUTES

(Authorized English Translation)

PART I GENERAL NORMS

1.

§ 1. The statutes of this Synod enact the particular laws and regulations governing the clergy, religious and laity of the Latin Rite of this Metropolitan See of New York.

§ 2. These statutes presuppose the prescriptions of the Code of Canon Law, of the Sacred Congregations and of Plenary and Provincial Councils (Can. 356).

2.

In consequence of special provision by the Holy See, the faithful of Oriental Rites, who have not Ordinaries of their own rite in this country, are subject to the jurisdiction of the Latin Ordinaries (Fontes, Vol. III, p. 457; Coll., N. 1966; S. C. Or. [Ad Delegatum Apost., Washington, D. C.] 29 Maii, 1925).

3.

§ 1. The statutes of this Synod become effective on January 1, 1951. Thereupon all preceding particular laws of this archdiocese are revoked, unless contained in the present legislation, or established as legitimate customs not contrary to these laws.

§ 2. Customs contrary to the decrees of this Synod, even if they be immemorial, are suppressed and should not be revived.

4.

Diocesan laws and regulations, enacted outside a Synod, will be promulgated by publication in the "Conference Bulletin of the Archdiocese of New York" and will begin to oblige immediately, unless otherwise stated in the decree of enactment (Can. 335).

5.

The Archbishop has the sole right to interpret synodal statutes.

6.

An act contrary to a prohibiting statute of the Archdiocese is not thereby invalidated.

7.

The computation of time involved in any enactment of this Synod is to be determined according to Canons 31-35 of the Code of Canon Law.

8.

When these statutes prescribe consulting with, or obtaining the permission of the Archbishop or Ordinary, it shall be understood that the Vicars General and other Curial Officials, in their respective capacities, are included, unless the contrary is stated expressly or is clear from the context or general principles of Canon Law.

9.

The presentation of any official matter shall be made in writing. Mention should be made of any previous presentation of the same matter, in the same case (Can. 44).

10.

Communications shall be directed to the office to which the Archbishop has granted authority over the matter, unless circumstances require that they be sent directly to the Archbishop.

11.

A copy of the synodal decrees is to be kept in the parochial archives. It is the duty of priests to study the decrees of the Synod.

PART II PERSONS

Section I CLERGY IN GENERAL

12.

The reverend clergy should continue to manifest their filial devotion to the Supreme Pontiff, and their reverence for and obedience to other ecclesiastical authority, and should co-operate loyally with those placed in posts of authority (Can. 127-128).

13.

The reverend clergy should never omit the use of the following basic requisites for sanctity and spiritual perfection: daily meditation, constant devotion to the Most Blessed Sacrament, daily examination of conscience, frequent reception of the Sacrament of Penance, filial devotion to the Blessed Mother and daily recitation of the Rosary in her honor (Can. 125).

14.

All secular priests of the Archdiocese, except those who have completed their sixty-fifth year of age, are obliged to make an annual retreat at the time and place designated, unless excused in a particular instance (Can. 126).

15.

The priests of the Archdiocese, except those who have attained at least the degree of licentiate in any of the Sacred Sciences, or those otherwise excused by the Ordinary, must undergo an annual examination in the sacred sciences for five successive years after ordination (Can. 130).

16.

Attendance at the designated theological conferences is of obligation for all secular priests of the Archdiocese and for those religious priests engaged in the care of souls (Can. 131).

17.

Priests are urged to maintain a constant interest in the studies proper to their priestly office. A periodic review of seminary textbooks and a study of all important Papal pronouncements are strongly recommended (Can. 129).

18.

The clergy who devote part of their free time to graduate studies at Catholic universities are to be commended. All priests are reminded that the Holy See has placed grave restrictions on clerics attending secular seats of learning (S. C. Consist., A. A. S., 10-237).

19.

§ 1. Diocesan priests, including those not bound by the general law of residence, are directed to reside at the rectory, institution or other residence to which they have been assigned. Externs who have been given a diocesan

vestments, which are their personal property, to a priest or a religious body.

Section II

CLERGY IN PARTICULAR

1

Diocesan Curia

37.

The Curial officials to whom reference is made in these statutes include the Most Reverend Bishops Auxiliary, the Vicars General, the Officialis and other officers of the Tribunal, the Chancellors and their assistants, the Vicar for Religious and his assistants, the Diocesan Consultors, the Parochial Consultors and the Synodal Examiners (Can. 363).

38.

The priests appointed to Curial positions shall take an oath to discharge their duties faithfully and to observe secrecy concerning official acts.

39.

The following deaneries of the Archdiocese are hereby confirmed: Bronx County, Richmond County, Westchester County, Putnam and Dutchess Counties, Rockland and Orange Counties, Ulster and Sullivan Counties.

40.

The respective deans should visit the parishes of their districts at times determined by the Ordinary, and submit

a general report summarizing the results of these visits (Can. 447).

2

Pastors

41.

Pastors, mindful of their high vocation and responsibility, should strive to increase those qualities of character, virtue, prudence and knowledge which will enable them to fulfill most worthily the duties of the sacred ministry.

42.

§ 1. A newly appointed pastor, before taking canonical possession, must make the Profession of Faith (Can. 461).

§ 2. Within one month after taking canonical possession of a parish, the pastor must file at the Chancery a sealed copy of his last will and testament and thereafter file copies of any subsequent changes in this will.

§ 3. Pastors shall have on file in the Chancery a current list of all personal property kept in the rectory. Failure to comply with this regulation shall constitute presumption of parochial ownership (III Balt., n. 276).

43.

§ 1. The salary of pastors in this Archdiocese shall be determined by the Ordinary after consultation with the Diocesan Consultors.

§ 2. In accordance with a long-standing custom, the entire stole fee received on the occasion of the administration of the Sacraments of Baptism and Matrimony, and

payment, therefore, of pew rent or habitual attendance at a church can never be made the basis of parochial rights or obligations (Can. 94).

50.

§ 1. The pastor must be most exact in the prompt, correct, complete, and legible notation of all parish records. These records are to be maintained in well-bound condition and stored in a locked, fireproof safe. They are subject to inspection at the time of the Episcopal Visitation (Can. 470).

§ 2. Parochial records may not be altered without authorization from the Chancery and, in the event that this authorization is granted, the fact should be noted in the parochial register. These parochial records will be the basis of the report *de statu animarum* which is to be submitted annually prior to January 20th according to the forms prescribed by the Chancery.

§ 3. Under no circumstances may lay persons have access to official parochial records or ever insert a record or issue a transcript of a record.

51.

It is the pastor's obligation to see that the church is provided with a proper seal, and that this seal is impressed on all official certificates and documents and is accessible only to those who are entitled to use it (Can. 470).

52.

Letters prepared for the faithful of the Archdiocese must be read in their entirety at all Masses on the designated Sundays.

53.

In keeping with the plan adopted in this Archdiocese for charitable collections, pastors are reminded that all petitions for collections for home or foreign missions, or other outside charitable collections, should be referred to the Committee designated to administer "The Missionary Co-operative Plan" (cf. Statute 209).

3

Parochial Assistants

54.

§ 1. The rights and duties of assistants are set forth in these diocesan statutes, in the letters of appointment, in the faculties which are granted them and in the commission from the pastor.

§ 2. Unless the contrary is stated in the letter of appointment, an assistant is appointed for the general ministry of the parish under the direction of the pastor.

§ 3. The salary of an assistant priest in this Archdiocese, as well as the offering for those assisting over weekends, shall be determined by the Ordinary after conferring with the Diocesan Consultors (Can. 476).

55.

§ 1. An assistant may not be absent from the rectory for more than one week without permission of the Ordinary, except during his annual vacation. Permission of the pastor will be sufficient for an absence of a shorter period.

§ 2. If necessity or legitimate reason requires an assistant to leave the rectory in the evening, he should return at a reasonable hour.

4

Chaplains

56.

The right to appoint chaplains, whether resident or non-resident, for all religious and pious houses subject to diocesan jurisdiction, is reserved to the Ordinary.

57.

Chaplains are to refrain from any interference in the internal and external affairs of the institution which they are serving.

58.

Chaplains who devote full time to the chaplaincy shall be compensated with salary, board and maintenance on the same basis as parochial assistants. Part time chaplains shall receive compensation in proportion to their services as determined by the Ordinary.

59.

Priests appointed for the spiritual welfare of the faithful in non-Catholic institutions, public or private, should be most zealous in their ministry and visitations in order that the Catholics in such institutions may receive every spiritual consolation.

Section III**RELIGIOUS**

60.

The religious state is to be held in honor by all. The faithful should be always mindful of the faith and charity, the spiritual and the corporal works of mercy inspired by and flowing from established religious communities (Can. 487).

61.

§ 1. Superiors of diocesan congregations are reminded that their communities in this archdiocese are entirely subject to the Ordinary, according to law (Can. 492).

§ 2. Exempt religious require written permission of the Ordinary to build or operate a school or hospital or any other edifice separated from the religious house (Can. 497).

62.

No religious house may be erected unless it is prudently foreseen that proper provision can be made for its maintenance (Can. 496).

63.

The office of Vicar for Religious has been established for the benefit of the lay religious institutes of the Archdiocese. All matters that concern the welfare of these devoted religious should be referred to that office.

64.

§ 1. All religious superiors should co-operate in carrying out the regulations of the Code of Canon Law regarding confessors for religious (Can. 518-530).

§ 2. Priests appointed as ordinary or extraordinary confessors for religious should be most prompt, regular and considerate in their scheduled visits, and should fit themselves for the proper discharge of their duties by study of the standard treatises on ascetical and mystical theology.

§ 3. Confessors for religious should also familiarize themselves with the constitutions, regulations and directories of the communities to which they are assigned.

65.

Confessors for religious must prudently guard against becoming involved in the internal or external affairs of the community (Can. 524).

66.

In convents of religious women subject to diocesan authority, spiritual conferences should be given every month by priests approved by the Vicar for Religious. In the case of novices and postulants, the courses in catechetics and related subjects should be conducted, in so far as possible, by a priest.

67.

In the matter of acquiring property, investing or borrowing funds, and other financial transactions, religious superiors must carefully observe all the regulations of Canon Law (Can. 531-537).

Section IV

LAITY

68.

§ 1. To foster a saintly and devoted lay apostolate, the laity should be exhorted to make prayerful use of all the means of sanctification, especially the frequent reception of the Sacraments and participation in lay retreats and missions.

§ 2. Study of the teachings of our holy religion is urged as is also a zealous interest in study clubs, the Catholic press, and other means which the Church uses to make the Faith known.

69.

§ 1. Canonical associations for the faithful, particularly The Confraternity of the Blessed Sacrament, The Confraternity of the Holy Rosary, The Confraternity of Christian Doctrine, and The Pontifical Society for the Propagation of the Faith, are to be established in every parish.

§ 2. The Holy Name Society, the Sodality of Our Lady, the St. Vincent de Paul Society, the Catholic Near East Welfare Association, the Apostleship of Prayer, and all established Third Orders are highly commended (Can. 684; III Balt., nn. 256-259).

70.

The faithful must beware of secret, condemned, seditious or suspected associations, and those which withdraw themselves from the legitimate supervision of the Church (Can. 684; 1240).

71.

The faithful are obliged in conscience to support their proper parish, and this obligation is not discharged adequately by contributions to other churches or charities, to the neglect of direct contributions for the needs of their proper parish (Can. 94; 1496).

72.

§ 1. The faithful are obliged to give good example and to exert their influence on behalf of christian morality especially in matters of amusements, entertainments, and social activities.

§ 2. Catholic organizations should set the example in eliminating the practice of beginning social events at a late hour and continuing them until the early morning, and should not arrange them during Advent and Lent.

§ 3. The faithful should patronize only those plays, motion pictures, and magazines that have the approval of the "Diocesan Committees for Decency in Magazines and Theaters" and of the "Legion of Decency."

PART III ECCLESIASTICAL MATTERS

Section I SACRAMENTS IN GENERAL

73.

§ 1. The oils blessed on Holy Thursday are to be obtained at the Cathedral or from the Rural Deans. They must be procured by priests or clerics in Sacred Orders and not by laymen, except in case of grave necessity (Can. 734; S. C. Rit. 3897).

§ 2. Priests are prohibited from carrying the holy oils on their persons or in their automobiles, except when attending the sick (Can. 735).

74.

§ 1. The offerings which the faithful freely make on the occasion of the administration of Baptism or the celebration of marriage may be received by the priest, subject to the prescriptions of Can. 463, § 3, and Statute 43, § 2.

§ 2. The priest may not accept any offering on the occasion of the administration of the other Sacraments.

Section II SACRAMENTS IN PARTICULAR

Baptism

75.

§ 1. The faithful are to be reminded that the proper place of solemn Baptism is the parish church of the person

by illness or infirmity. Priests having the care of souls should express their solicitude in this respect by suitable announcements especially during the Paschal time (Can. 859).

107.

Priests are reminded of the provisions made by Canon 854, § 2, for administering the Holy Eucharist to children in danger of death.

108.

To foster frequent Communion among children, the establishment of sodalities dedicated to the patrons of youth is urged.

109.

§ 1. In danger of death, the faithful are bound by precept to receive Holy Communion. While the danger lasts, they may, according to the prudent judgment of the confessor, receive Holy Viaticum repeatedly on different days, even daily, without the obligation of fasting. Priests, therefore, should not content themselves with one administration of the Sacrament to those in such danger (Can. 864).

§ 2. Since the administration of Viaticum is not to be unduly delayed, the faithful are to be urged to call the priest promptly to administer to those in danger of death (Can. 865).

Penance

110.

All confessors shall be ready and willing to hear the confessions of the faithful whenever they reasonably re-

quest this ministry, even outside fixed hours for confession, and pastors and other confessors are exhorted always to remember their obligation in justice and charity in this regard (Can. 892).

111.

Confessors should begin the hearing of confessions promptly at the times scheduled. During intervals when the confessional is not occupied by a penitent, confessors should not engage in conversation with the faithful except in case of necessity.

112.

It is recommended that, where necessary, pastors invite special confessors for national groups several times during the year, and that announcement of this fact be made some days beforehand.

113.

Whenever a pastor wishes to obtain jurisdiction for a priest to assist in hearing confessions for some particular occasion, the request should be made to the Chancellor in writing, stating the name of the priest, his diocese or religious community, the period of time for which jurisdiction is asked, and enclosing the letters which he has from his Ordinary or Superior.

114.

Any extern, whether secular or religious, provided he enjoys faculties to hear confessions from his own Ordinary or Superior, is hereby granted jurisdiction to hear the confession of any priest of this Archdiocese who makes

his confession to him in this jurisdiction (V, Neo-Eborac., n. 157).

115.

Special jurisdiction is required to hear confessions of religious women, except in the cases enumerated in Can. 522-523.

116.

The prayers joined to the formula of absolution should never be omitted without a reasonable cause (Can. 885).

117.

Priests should never presume to mention anything that pertains to the matter of sacramental confession in any form or under any pretext, even incidentally, directly or indirectly, in public or private speech, especially on the occasion of sacred missions or spiritual exercises (Can. 889; S. Off., 9 June 1915).

Extreme Unction

118.

§ 1. Priests should frequently instruct the faithful about the institution, nature and effects of the sacrament of Extreme Unction, as well as the obligation and method of receiving it.

§ 2. In these instructions, priests should urge the faithful to summon the priest promptly in case of serious illness, rather than wait until the patient is in the last agony or has lost consciousness (Can. 944).

Holy Orders

119.

§ 1. Pastors and priests should instruct the faithful on the dignity of the priesthood, and on the honor and respect which ought to be shown the ministers of the Church.

§ 2. Parents, mindful of the high dignity of the religious life, should be encouraged to foster vocations among their children.

§ 3. All priests, especially pastors, shall see that children who show signs of a vocation are carefully preserved from the contamination of the world. They shall train such youths in piety, give them instructions, and foster in them the seed of the divine vocation (Can. 1353).

Matrimony

120.

Lest the contagion of the widespread disregard for the sacred character of marriage affect the faithful, the encyclical letter *Casti Connubii* of Pope Pius XI should be made the basis of frequent instructions on the sacrament of Matrimony (A.A.S., 22-539).

121.

§ 1. All priests making arrangements for marriages must be most careful to see that nothing stands in the way of licit or valid celebration (Can. 1019-1020).

§ 2. To this end, the prescribed form of premarital investigation published in this Archdiocese must be

used in arranging all marriages, except deathbed marriages when time is lacking (S. C. Sac., A.A.S., 33-297).

§ 3. The pastor who is entitled to assist at the marriage (the pastor of the bride, in the absence of a reasonable excuse) has the obligation to make the premarital investigation. This obligation is grave, and must be fulfilled personally by the pastor unless some reasonable cause excuses. The investigation must be made, even though the pastor is morally certain that there is no obstacle to the valid and licit celebration of the marriage.

§ 4. Upon request, the pastor of the groom should inquire into the free state of the groom and report the result of his investigation to the pastor of the bride.

§ 5. All documents pertinent to the premarital investigation must remain in the archives of the parish where the marriage takes place. The obligation of furnishing such documents should be fulfilled promptly through approved channels.

§ 6. Reference to confidential matters should be made in Latin and the minimum necessary information placed in a sealed envelope in the archives.

§ 7. All documents referring to each marriage are to be kept in separate folders, marked with the names of the contracting parties, and the page number of the premarital register.

§ 8. The questions, in the prescribed form, dealing with the permanent character of the marriage bond and with the primary ends of marriage, are of particular importance. A special instruction on these points should be given before these interrogations are made.

122.

Priests should obtain proof of the Baptism of persons to be married if they claim to have been baptized, even though they are not Catholics. In cases of Catholic Baptism, the certificate presented should be as recent as possible and not more than six months old, unless the free state is otherwise proved. The obligation of obtaining proof of Baptism and of sending notification of every marriage to the churches of Baptism binds *sub gravi* (Can. 1021, 1103).

123.

Catholics who have not been confirmed should be confirmed before marriage if this can be done without serious inconvenience (Can. 1021, § 2).

124.

During the premarital investigation, priests are to urge Catholics preparing to marry to receive the sacraments of Penance and the Holy Eucharist. Cases of refusal are to be referred to the Chancery (Can. 1066).

125.

Pastors may not assist at marriages, even under the pretext of keeping the faithful from unlawful concubinage or averting the scandal of so-called civil marriage, without having obtained satisfactory proof of the freedom of the parties to marry and without observing all the requirements of the civil law (Can. 1097; A.A.S., 13-348).

126.

Pastors are reminded that they are forbidden to assist at the marriages of immigrants without consulting the Ordinary, except in case of necessity or danger of death (Can. 1097; A.A.S., 13-348).

127.

Priests are also urged to make certain that no marriage is deprived of the protection of the civil law through the use of a marriage license obtained by falsification of the age of the contracting parties, in violation of the consent requirements of the Domestic Relations Law of the State of New York. This regulation also holds for mixed marriages.

128.

§ 1. Applications for dispensations from matrimonial impediments must be made on the special forms provided for this purpose.

§ 2. Care must be taken that the form is filled out properly and legibly.

129.

If for any reason a dispensation has not been used, the rescript should be returned to the Chancery with a brief explanation of the cause of non-use.

130.

Priests must always remember the strict prohibition against marriages between Catholics and non-Catholics which is insisted upon again and again by Holy Mother Church (Can. 1060, 1070; A.A.S., 22-539).

131.

Priests are obliged in conscience to have moral certainty that both parties to a mixed marriage are free to marry and that the promises will be fulfilled. Otherwise the priest should not apply for the dispensation.

132.

§ 1. Without derogating in any way from the general law of the Church against mixed marriages, and acting in virtue of power granted by Canon 1109, § 3, authorization is hereby granted throughout the Archdiocese for the celebration of mixed marriages in church.

§ 2. In any case where doubt exists as to the worthiness of one or both contracting parties, recourse to the Chancery must be had; there should be no commitment as to the time and place of the marriage until a decision is rendered.

§ 3. In cases where the privilege is denied or where the parties do not desire to avail themselves of it, the place of such mixed marriages shall be the rectory.

§ 4. It will be the solemn duty of the pastor to guard against any abuse in this matter and the following regulations are to be observed in all cases:

- A. Publication of banns in cases of mixed marriage is forbidden by Canon 1026;
- B. The Blessed Sacrament is not to be removed from the tabernacle;
- C. Mixed marriages must not take place in conjunction with a Nuptial Mass or any other Mass. The impression is never to be given that the Mass is a complement to the mixed marriage ceremony (Can. 1102, § 2);

- D. The use of this privilege of celebrating mixed marriages in church is restricted to the proper parish of either contracting party in accordance with the rules specified in Canon 1097, § 2. The Chancellor is to be consulted with regard to any exceptions to this rule;
- E. The wedding party should not be permitted to enter the Sanctuary;
- F. The priest may wear cassock and surplice but not the stole;
- G. With regard to the time of the ceremony, music, altar decorations, candles, etc., the same regulations and proprieties are to be observed as in the case of marriages between two Catholics;
- H. The ceremony should follow "The Manner of Assisting at Mixed Marriages" as found in the Ritual. This will preclude the use of Holy Water and the blessing of the wedding ring at the ceremony. However, if the parties so request, the wedding rings may be blessed privately before or after the ceremony. Catholic practices, such as genuflecting, etc., are to be observed by all participating in the ceremony.

133.

The celebration of mixed marriages in places other than a church or rectory is strictly forbidden except in danger of death.

134.

§ 1. Priests should remember that the faithful are forbidden to contract marriage with those who have notoriously fallen away from the Catholic Faith, even though they have not joined a non-Catholic sect. Likewise they are forbidden to contract marriage with members of societies condemned by the Church.

§ 2. Permission to assist at such marriages may be obtained from the Ordinary, provided a grave cause is present (Can. 1065).

135.

If a public sinner, or a person publicly known to be under censure, refuses to go to Confession or to be reconciled with the Church before contracting marriage, the pastor shall not assist at the marriage unless there is a grave and urgent reason. Concerning this reason, he shall consult the Chancellor if possible. Marriages cannot be permitted unless there is a guarantee of the freedom of the Catholic party to practice his or her religion and of the Catholic Baptism and education of the children (Can. 1066; Coll., I, n. 1205).

136.

§ 1. If a previous marriage of either of the parties be for any reason invalid or dissolved, it is not lawful to contract another marriage before a decree attesting to the invalidity or dissolution has been issued by a competent ecclesiastical tribunal.

§ 2. Whenever there has been a previous marriage ceremony of any kind and both parties are still living, the case must be passed upon by the Diocesan Tribunal if

either party claims to be free to contract another marriage.

§ 3. Even though the parties are Catholics and have attempted to contract a merely civil marriage, no pastor can decide whether the parties are free to contract another marriage but must refer the case to the Curia (Can. 1069, § 2).

§ 4. Validly married persons who, after a civil divorce, attempt a new marriage, whether before a Catholic priest, a non-Catholic minister or a civil official, incur *ipso facto* excommunication reserved to the Ordinary (III Balt., n. 124).

137.

§ 1. Parties who claim that their marriages are null and void are to be referred to the Diocesan Tribunal, provided there is a probable basis for the alleged invalidity.

§ 2. Under no circumstance should the priest attempt to prejudge the case by expressing an opinion or by gathering proofs of the contention of the parties, particularly when the contention is one of non-baptism. This is the province of the Curia.

138.

When a priest assists at a marriage by virtue of delegation, the fact of delegation must be noted in writing in the record of the marriage.

139.

The priest who is to assist at the marriage outside the bride's parish, or the parties themselves, may obtain the necessary permission from the bride's pastor.

140.

Pastors should consult the Chancellor before assisting at marriages of mixed rites (A.A.S., 41-89 ff.).

141.

§ 1. Pastors should urge the faithful to have their marriages celebrated at a Nuptial Mass (Can. 1101).

§ 2. Except for a grave reason, marriages should not be celebrated after sundown.

142.

§ 1. Extreme care must be exercised in the prompt and exact recording of marriage in the marriage register and its notation in the proper baptismal register (Can. 1103).

§ 2. The same care is to be exercised in the prompt and proper return of civil records as required by civil law.

143.

Marriages between Catholics shall be contracted in a parish church and may not take place in public or semi-public oratories without the permission of the Ordinary.

144.

§ 1. Priests should be most zealous to effect the revalidation of invalid marriages and, in doing so, should follow carefully the prescriptions of Canons 1133 to 1141.

§ 2. In effecting these revalidations, priests should remember that a *sanatio in radice* is an extraordinary remedy to be applied for only when all efforts to effect a simple revalidation have failed.

§ 3. Priests should not be satisfied with a statement of one party that the other refuses to renew consent in the form prescribed by the law, but should investigate each case thoroughly to ascertain whether the original consent was naturally sufficient and still perdures, and whether the recalcitrant party really refuses to renew consent in the form prescribed by the Church.

Section III SACRAMENTALS

145.

Priests should instruct the faithful in the nature, proper use, and efficacy of the sacramentals.

146.

§ 1. Since the sacramentals are of ecclesiastical institution, the rites approved by the Church pertaining to them are to be observed carefully.

§ 2. In all blessings in church, outside Mass, the priest should wear the surplice and the stole of the color of the time, unless the rubrics or custom indicate otherwise (Can. 1148).

147.

The very pious and laudable custom whereby a mother seeks the blessing of the Church after childbirth and renders thanks to God, is to be fostered where it exists and is to be established in parish churches where it does not now exist.

148.

The imposition of ashes on Ash Wednesday is to be made only by a priest. Therefore the imposition of ashes by the faithful in private homes is prohibited. Ashes, which are left over after the distribution, should be placed in the Sacramentarium.

149.

§ 1. The faithful are to be encouraged to obtain and keep Holy Water in their homes and to use this sacramental in accordance with the ancient traditions of the Church.

§ 2. The faithful are also urged to provide themselves with a blessed candle for use in their homes.

PART IV
SACRED PLACES AND TIMES,
DIVINE WORSHIP, TEACHING
OFFICE OF THE CHURCH AND
ECCLESIASTICAL TEMPORALITIES

Section I
SACRED PLACES AND TIMES

1
Churches

150.

Pastors shall be most zealous in maintaining, in the church and in the sacristy, the cleanliness and order which are befitting holy places and objects of worship. Special care should be given to the altars.

151.

Religious institutions, even though they have obtained permission to erect a new house in this Archdiocese, must obtain the written approval of the Ordinary before they build a church or public oratory in a certain and definite place (Can. 1162, § 4).

152.

Admittance to the church for Divine Services must be entirely free. Abuses in this matter, e.g., the use of signs or other means to demand a fee at the entrance to the church, will not be tolerated (Can. 1181).

153.

All churches in which the Blessed Sacrament is reserved should be kept open throughout the day and early evening to encourage the Eucharistic devotion of the faithful.

2

Ecclesiastical Burial

154.

§ 1. The rite of ecclesiastical burial consists in:

- A. The transfer of the body to the church;
- B. The funeral service in the church;
- C. The interment in a place lawfully appointed for the burial of the faithful departed (Can. 1204).

§ 2. All baptized persons have a right to ecclesiastical burial in its entirety, unless they are expressly deprived of this right by law (Can. 1239-1242).

§ 3. If there be a doubt as to the right of anyone to ecclesiastical burial, the decision is to be made by the Ordinary.

§ 4. No priest may deny any one of the above-mentioned parts of the rite of ecclesiastical burial without consultation with the Ordinary.

155.

The right to ecclesiastical burial is to be certified by the proper pastor of the deceased on the prescribed form.